

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, SEPTEMBER 28, 2017

Presiding: Mayor David D. Ogden
Meeting Convened at 6:30 p.m.
Prayer: Joe Cherrington
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Brent Barrus, Joe Cherrington, Bruce King, and Greg Venema; City Public Works Director Zane Baler; Chairman Dave Thompson of the Planning and Zoning Commission; City Attorney Assistant of Forsberg Law Dylan Anderson; Delorum Co-Founder and Project Manager Keith Nelson; Old Farm Estates South Fork Villas Subdivision Representative Blake Walker; Citizens for the Rule of Law Representatives Vaun Waddell and Elaine King; Citizen Tom MacKay.

MINUTES: Mayor Ogden asked if there were any corrections to the revised minutes of the regular meeting held on September 14, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Venema and seconded by Councilman Barrus to accept the minutes; motion carried.

PLANNING AND ZONING REPORT: Chairman Dave Thompson reported on the following items:

Old Farm Estates Peregrine Subdivision Preliminary Plat Application Public Hearing: The commission held a public hearing on Thursday, September 21, 2017, for the preliminary plat application in Division #2, Lot 6, Block 14, or Peregrine Subdivision. It consists of four 4-plex units and one 6-plex unit and sits on 1.88 acres. Density is less than 12 units per acre, although the zoning allows for 16 units per acre. The commission recommended approving the plat and adopting the Findings of Fact presented to the council.

Land Use Schedule: The commission will work to set a public hearing date in October for the proposed changes to the Land Use Map and Schedule.

FINDINGS OF FACT – OLD FARM ESTATES PEREGRINE SUBDIVISION, PRELIMINARY PLAT: The mayor reviewed with the council the Findings of Fact, Conclusions of Law and Recommendation from the Planning and Zoning Commission.

MOTION: It was moved by Councilman Barrus and seconded by Councilman Cherrington to approve the Preliminary Plat Application of Old Farm Estates Peregrine Subdivision, Block 14, and accept the Findings of Fact, Conclusions of Law and Recommendation (Attachment #1); motion carried.

DECISION TO RESPOND TO MOTION FOR RECONSIDERATION OF OLD FARM ESTATES ZONE CHANGE AND PRELIMINARY PLAT DIVISION #3: Mayor Ogden explained to the council and public that this discussion was pulled from the agenda due to the lawsuit filed against the city by the Citizens for the Rule of Law.

MAYOR'S SCHOOL WALKING CHALLENGE PROCLAMATION & ADOPTION: The mayor has accepted the mayor's school walking challenge to walk 10,000 steps a day every day

for the month of October. The program was first instituted by Blue Cross of Idaho to encourage better health through walking. The school district had accepted the challenge as well and will walk with him on Tuesdays and Thursdays each week.

MOTION: It was moved by Councilman Venema and seconded by Councilman Cherrington to accept the Mayor's Walking Challenge Proclamation (Attachment #2); motion carried.

MAYOR'S REPORT: Mayor Ogden reported on the following items:

Eclipse Report Recap: The mayor reviewed the revenues and expenses of the eclipse with the council. Revenues were \$9,168.90, expenses \$7,784.41, netting \$880.29. Letters of gratitude from Massachusetts extolled the warm welcomes and free family activities of the city and was read into the minutes (Attachment #3).

Water Meeting Update: The last and final water town hall meeting was held last week, but few citizens attended. The mayor intends to go door-to-door and hand out information fliers to encourage citizens to vote for the water bond. It seems that most residents understand the reasoning for the bond. The council would like to review the flier at the next meeting.

New Utility Software Update: The city is in the process of updating its utility software program from Caselle Classic, which is no longer supported after January 1, 2017, to Caselle Connect. This year's annual Caselle training conference will be held in Salt Lake City October 24-25. Deputy Clerk-Treasurer Shelley Jones and Clerk-Treasurer Wendy McLaughlin intend to go.

Geographic Information System (GIS) Training: The city participated in a GIS system training held in Rexburg by the Madison GIS Department. The training was informative and the system user friendly. Reports and information useful to public entities and private citizens can be utilized.

Possible Dump Closure: With the passing of Ard Cor Recycling owner J. D. Ard and the possibility of the dump closing, the city is concerned about future citywide cleanups. Ard Cor Recycling was able to take the city's refuse without sorting and high costs.

POSITION ON COUNTY LAND USE AND GRAVEL PITS: Councilman Bruce King represented Sugar City at the public hearing in Rexburg before the Madison County Commission on the county's proposed changes to its land-use table that would allow gravel mining not only in industrial zones but also in agricultural, trans-agricultural, commercial and light industrial zones – with only a conditional use permit. He read a letter from the city administration stating the city's position of opposition against gravel mining close to Sugar City limits and impact areas (Attachment #4). The decision of the county commissioners was to allow gravel mining in agricultural and light industrial zones but not in trans-agricultural and commercial zones.

RESOLUTION NO. 2017-18 (Approve a Letter to the Madison County Commissioners in Opposition to More Gravel Pits): The council approved the letter and resolution stating the city's opposition to more gravel pits that would be near city limits and/or city impact areas. Resolution 2017-18 was introduced and read in full by Councilman Cherrington.

MOTION: It was moved to include results of voice vote by Councilman Barrus and seconded by Councilman Venema to adopt Resolution No. 2017-18; motion carried. A copy of said resolution is attached hereto marked "Attachment #5."

POSSIBLE REVISION OF CITY ANIMAL CODE TO ALLOW CERTAIN ANIMALS: The council reviewed a potential revision to a provision of the animal ordinance, which was

finalized well over a year ago, to discuss possibly allowing certain animals currently prohibited. Tom MacKay approached the city about having a horse or cow, since he just bought a house that has a barn and large pasture. Currently the code only allows for prohibited animals that are grandfathered in and have not been discontinued. The council decided to review other codes that allow for similar situations and revisit the animal code at the next meeting. The mayor will also ask the attorney to review possible changes.

POSSIBLE NEW CITY LOGO: Keith Nelson of Delorum, a local graphic design business, was asked to come and present to the council the process involved in designing and selecting a logo (or branding) and how he achieves successful results. The city's logo is dated, complicated and difficult to work with. The city has budgeted for and would like to create a newer, more meaningful logo, using input from residents. The council was impressed with Delorum's process and decided to proceed.

DEPARTMENT REPORTS:

COUNCILMAN BARRUS: Councilman Barrus reported that Old Farm Estates is pressure-checking lines in preparation for constructing streets.

COUNCILMAN CHERRINGTON: No report.

COUNCILMAN KING: Councilman King reported that the citywide fall cleanup will begin Monday, October 16, 2017.

COUNCILMAN VENEMA: Councilman Venema asked about street maintenance and repairs for this year. With the weather changing, asphalt plants may shut down, delaying repairs until next spring.

Meeting adjourned at 9:15 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

**Before the City of Sugar City
Planning and Zoning Commission**

)	
In the Matter of an Application for a Preliminary)	
Plat Approval)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW
Vaughn Price)	AND RECOMMENDATION
315 S. Millhollow Rd.)	
Rexburg, ID 83440)	
Applicant.)	
)	

FINDINGS OF FACT

1. Vaughn Price of 315 S Millhollow Rd. Rexburg Idaho 83440, submitted an application for Preliminary Plat Approval on August 17, 2017. The affected property located south of W 3rd South and northeast of S 3rd West, Sugar City Idaho, 83448 is described as follows:

Lot 6, Block 14, Old Farm Estates, Division 2

- 2. Vaughn Price is the record owners of the property featured in the preliminary plat.
- 3. The property consists of approximately 1.8 acres.
- 4. A public hearing on the application was held on September 21, 2017 at 7:00 p.m.
- 5. Deputy Clerk-Treasurer Shelley Jones signed an affidavit that the application was complete, and that all fees had been paid. All required notices regarding the hearing had been published, mailed and posted in a timely fashion as required by the Sugar City Zoning Ordinance and Idaho State law. The affidavit of publication and affidavit of mailing and posting were entered in the record and are included with this recommendation.
- 6. There were 9 members of the public in attendance at the public hearing that signed in for this hearing, and indicated if they were for, against, or neutral.
- 7. Vaughn Price introduced the preliminary plat, stating that the choice was made not to be as densely populated, and reserve 55% open space. Mr. Price felt this would be an asset in a family community.
- 8. Of those who indicated, two were in favor, four were neutral, and none against. The sentiments were that this would be an asset to the community. Citizens appreciated how straight forward the application was, and that everything was specifically laid out in the code. Most liked the look of the buildings that were anticipated, and there were no real concerns about this application, other than the expectation that it will be subject to the design review board.
- 9. The Commission finds the testimony relevant and agrees with the overall sentiment that the proposed plat would be an asset to the community providing attractive, low income housing.

10. The density is set by the zone, and the divisions requested do not alter the amount of density allowed by zoning.

11. Open space requirements are met in this application.

CONCLUSIONS OF LAW

The Sugar City Planning and Zoning Commission concluded regarding the application that:

1. The proposal complies with the Comprehensive Plan.
2. The proposed preliminary plat complies with the Zoning Ordinance.
3. The proposal complies with applicable state and federal laws and regulations.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Concluding all of the above, the Sugar City Planning and Zoning Commission unanimously recommend that the City Council approve the preliminary plat application of Old Farm Estates Division #2 Lot 6 Block 14.

Signed and Dated this 28th day of September, 2017.

By: _____
Chairman,
Planning and Zoning Commission

Attest:

City Deputy Clerk-Treasurer

Mayor's School Walking Challenge Proclamation

WHEREAS: The City of Sugar City believes that good wholesome activity, including walking, is important for our citizens, especially our children; and

WHEREAS: The Foundation for Health, Inc., a foundation of Blue Cross of Idaho has issued a challenge to all the cities in the state of Idaho to sponsor the Mayor's School Walking Challenge; and

WHEREAS: The Mayor of the City of Sugar City has accepted the challenge to walk an average of 10,000 steps per day during the month of October; and

WHEREAS: The some of the students of the Sugar-Salem School District have also accepted this challenge to walk with the Mayor; and

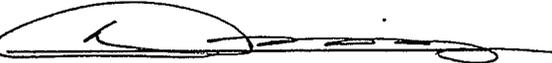
WHEREAS: The Mayor of the City of Sugar City wishes to proclaim the month of October as the Mayor's School Walking Challenge Month;

NOW, THEREFORE I, David D. Ogden by virtue of the authority vested in me as Mayor of the City of Sugar City, do hereby proclaim the month of October, from October 1st to October 31st, as

Mayor's School Walking Challenge Month

and challenge all citizens of Sugar City, especially our children, to accept the challenge to walk as much as possible, and consider this as a healthy way of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sugar City be affixed this 28th day of September, 2017.

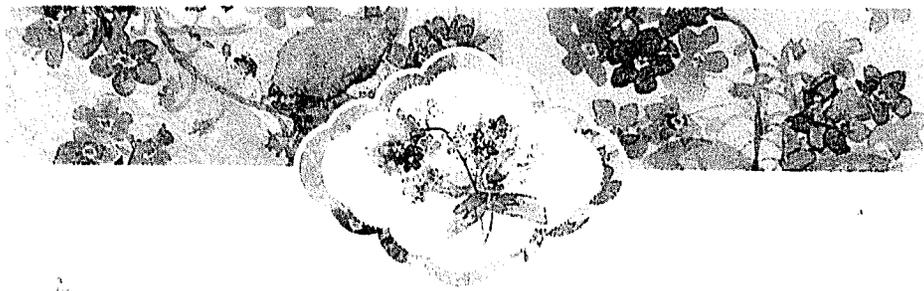
Signed 

David D. Ogden, Mayor

Attest

Wendy McLaughlin
Wendy McLaughlin, City Clerk

Seal



Dear Mayor Ogden,

My family and I visited your town to observe the recent solar eclipse. I am writing to express our gratitude for the warm welcome and hospitality extended to us. We were impressed with all of the provisions made to accommodate visitors, and especially children, that had come to watch the eclipse. Everyone that we met, including yourself, was extremely friendly and helpful. We were especially impressed to see no one selling food or merchandise was trying to take advantage of visitors. Indeed, I wonder if anyone even covered the cost of their waves. This was certainly not the case for most of the



surrounding communities that we passed through.

Additionally, please pass along the thanks of my daughter and myself to your Deputy-Clerk, Shelley Jones. Shelley went above and beyond in communicating with my daughter, Erika, in helping to finalize our plans. Erika was delighted to be able to meet Shelley in person before the big event.

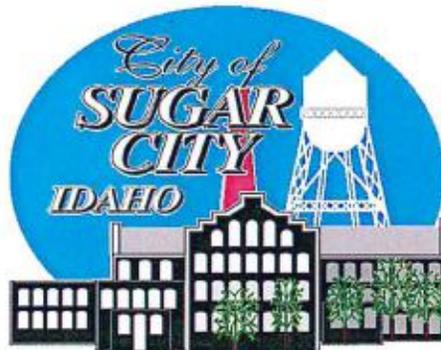
Again, thank you for hosting us. And please express our thanks to all that you meet.

Sincerely,
Phillip Black
Chatham, MA

P.S. We are officially huckleberry fans after enjoying the slushies made by one of your town folk.



David D. Ogden, Mayor
Wendy McLaughlin, Clerk-Treasurer
Shelley Jones, Deputy Clerk-Treasurer
Zane Baler, Public Works Director
Phone: (208) 356-7561
Fax: (208) 359-2654
Office Hours: 9 a.m. to 4 p.m.



City of Sugar City

P.O. Box 56 - 10 East Center
Sugar City, Idaho 83448

Support our local businesses

September 20, 2017

Madison County Commission
134 E. Main Street – P.O. Box 389
Rexburg, Idaho 83440

Dear Commissioners:

The Mayor and City Council of Sugar City wish to express concern about and opposition to any proposed changes to the county Land Use Table that might invite more gravel mining with the potential to border city limits and impact areas for the City of Sugar City.

Gravel pits and asphalt hot-mix plants can detract from the beauty of our community, and such operations may also threaten the safety of our residents by increasing local truck traffic designed to carry heavy industrial loads. Moreover, these operations jeopardize the future growth of Rexburg and Sugar City by limiting expansion opportunities.

Local governments have a responsibility to preserve their communities by establishing and protecting zones to ensure compatible land use. To our way of thinking, allowing heavy industrial uses close to cities and their impact areas where many reside violates that responsibility.

Unlike other states and countries where land may not be readily available for gravel mining, Idaho has untold expanses of gravel-rich land away from residential areas. But developers hesitate to truck gravel from more remote areas because having pits close to highways improves the chances of their being low bidders and thus winners of construction contracts.

To protect our communities, we urge you to restrict new gravel mining near living areas, recognizing that ample gravel generally is available from existing gravel pits found in current industrial zones. As more gravel pits are needed, developers can seek to change their currently zoned property to industrial zones designated for such use.

We further ask that you, our county commissioners, carefully enforce current laws regarding operation and reclamation of existing and future gravel-pit mines.

Respectfully,

David D. Ogden, Mayor
City of Sugar City

Date

Bruce P. King, President
Sugar City Council

Date

- cc: Madison County Planning and Zoning Commission
Rexburg Mayor, City Council and Planning and Zoning Commission
Sugar City Planning and Zoning Commission
Teton City Mayor, Council and Planning and Zoning Commission

The City of Sugar City, Idaho

Resolution No.: 2017 - 18

“A Resolution to Approve a Letter to the Madison County Commissioners for the Purpose of Making the Feelings of the Mayor and City Council of Sugar City, Idaho in Opposition to the Potential for More Gravel Pits Near the City Limits and/or Impact Area of the City.”

WHEREAS, the Council of the City of Sugar City, Idaho desires to make comment in the Public Hearing of Madison County being held on September 20, 2017, concerning the potential of additional gravel pits or gravel mining in Madison County, where they may negatively impact both the city limits and impact area of the City; and

WHEREAS, the Mayor and Council of the City of Sugar City have reviewed and recommended the letter that is to be used as our comments in the aforementioned Public Hearing, and;

WHEREAS, the Council of the City of Sugar City believes it is in the best interest of the city to provide comments to Madison County about the negative impacts that gravel mining would be to our city residents and our impact area;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

The City Council of the City of Sugar City, Idaho hereby approves and ratifies the prior recommendations of the Mayor and City Council on the aforementioned letter to Madison County, as comments to be made in the Public Hearing to be held on September 20, 2017, and authorizes Councilman Bruce King to attend and present the letter on our behalf.

PASSED by the Council of the City of Sugar City on this 28th day of September, 2017

APPROVED by the Mayor of the City of Sugar City on this 28th day of September, 2017.

(SEAL)

David D. Ogden,
Mayor

ATTEST:

Wendy McLaughlin,
City Clerk - Treasurer